AMENDMENTS TO THE SPECIFICATION

Please amend the specification as follows:

Amend the Title of the Application as follows:

~~AN APPARATUS AND METHOD FOR~~ IDENTIFYING AND SURVEYING SUBSCRIBERS

Amend the heading before paragraph **[0001]** and paragraph **[0001]** as follows:

TECHNICAL FIELD ~~OF THE INVENTION~~

[0001] The present ~~invention~~ application relates to data collection techniques. ~~In particular, the present invention relates~~, and, more particularly, to surveying a group of users over a network of data processing devices.

Amend the heading before paragraph **[0002]** as follows:

BACKGROUND ~~OF THE RELATED ART~~

Delete paragraph **[0005]**.

Amend paragraph **[0006]** as follows:

[0006] ~~An apparatus and method is~~ Techniques are disclosed for surveying and gathering user and status information from data processing devices coupled to a network. Data processing devices, such as cellular phones and handheld devices, may be coupled to a network manager through phone lines or RF networks. The network manager transmits survey inquiries and receives survey responses from users. The specific set of users may be selected based on user characteristics and/or device characteristics compiled by the network manger. Other status information, such as the location of each data processing

device on the network and whether each data processing device on the network is active, may also be collected by the network manager. Collected information may then be distributed or made available to other data processing devices on the network.

Amend paragraphs **[0007]** through **[0015]** as follows:

[0007] The ~~present invention~~ techniques to identify and survey subscribers are illustrated by way of example and not limitation in the accompanying figures.

[0008] Figure 1 shows an embodiment ~~of the invention~~ in the form of a system network coupled to two individual data processing devices.

[0009] Figure 2 shows an embodiment ~~of the invention~~ in the form of an individual data processing device and associated components.

[0010] Figure 3 shows an embodiment ~~of the invention~~ in the form of a system network coupled to data processing devices having specific characteristics.

[0011] Figure 4 shows an embodiment of ~~the invention~~ in the form of a system network coupled to data processing devices having specific characteristics.

[0012] Figure 5 shows an embodiment ~~of the invention~~ in the form of a survey panel for a data processing device.

[0013] Figure 6 shows an embodiment ~~of the invention~~ in the form of a panel for use by a user to create a survey and possible responses.

[0014] Figure 7 shows an embodiment ~~of the invention~~ in the form of an address book displaying associated location, time, and status information of other data processing devices.

[0015] Figure 8 shows an embodiment ~~of the invention~~ in the form of a flow chart of a system's actions.

Amend the heading before paragraph **[0016]** and paragraph **[0016]** as follows:

DETAILED DESCRIPTION ~~OF THE INVENTION~~

[0016] The following description makes reference to numerous specific details in order to provide a thorough understanding of the present ~~invention~~ techniques. However, it is to be noted that not every specific detail need be employed to practice the present ~~invention~~ techniques. Additionally, well-known details, such as particular structures, materials and methods have not been described in order to avoid obscuring the underlying principles of the ~~invention~~ techniques.

Amend paragraph **[0017]** as follows:

[0017] Referring to **Figure 1**, an embodiment ~~of the invention~~ is shown in the form of a network manager **116** (e.g., a server) communicatively coupled to a plurality of data processing devices **102**, **104**, and **106** over a network **100**. In one embodiment, the network **100** is a wireless network and the devices **102**, **104**, and **106** access the network via one or more transmitter/receiver sites **101** (commonly referred to as "base stations" or "cell sites"). Other data processing devices which are not pertinent to the underlying principles of the invention may also be required to couple the individual data processing devices to the network manager **116** (e.g., routers, gateways, [[. . .]] etc.).

Amend paragraph **[0024]** as follows:

[0024] As illustrated in **Figure 2**, one embodiment of a data processing device **104** is comprised generally of a microcontroller **205**, an external memory **250**, a display controller **275**, and a battery **260**. The external memory **250** may be used to store machine-executable program code and data transmitted to/from the network manager **116**. In one embodiment, the external memory **250** is non-volatile memory (e.g., an electrically erasable programmable read only memory ("EEPROM"); a programmable read only memory ("PROM"), [[. . .]] etc.). Alternatively, the memory **250** may be a volatile memory (e.g., random access memory or "RAM") but the data stored therein may be continually maintained via the battery **260**. The underlying principles of the invention remain the same regardless of the specific type of memory used. The battery **260** in one embodiment is a coin cell battery (e.g., of the same type used in portable electronic devices such as calculators and watches).

Amend paragraph **[0027]** as follows:

[0027] In one embodiment, program code and data **260** are transmitted from the network manager **116** to the external memory **250** of the data processing device **104** via a communication interface **270** under control of the CPU **210**. This program code and data **260** may include, for example, lists of characteristics of various users on the network as described herein (e.g., age, occupation, sex, address, geographical location, past on-line purchasing information, whether the user is in a predetermined group of users, [[. . .]] etc.). Various communication interfaces **270** may be employed without departing from

the underlying principles of the invention including, for example, a Universal Serial Bus ("USB") interface or a serial RF communication interface.

Amend paragraph **[0032]** as follows:

[0032] Referring to **Figure 5**, one embodiment ~~of the invention~~ is shown in the form of an inquiry response screen. The inquiry **502**, "How would you rate the service of Restaurant X in San Francisco," may be sent to data processing devices on the network based on the user criteria selected for the inquiry (e.g., only send to users in User A's buddy list and located in San Francisco). The network manager **116** may track how often each data processing device is in San Francisco and factor this information into the selection criterion. For example, if a particular user does not live in San Francisco, but travels to San Francisco frequently, then the network manager **116** may include the user in the response group. The network manager **116** may also use other characteristics to determine which users on the network are best able to render an opinion to the inquiry (e.g., age, personal preferences, [[. . .]] etc.).

Amend paragraph **[0038]** as follows:

[0038] Referring to **Figure 7**, an embodiment ~~of the invention~~ is shown in the form of an electronic address book for a data processing device. The electronic address book may contain contact information such as the name **702**, relevant call

information **704**, data processing device location **706**, the current time **710** relative to the time zone where the data processing device belonging to the relevant user is, and other status information **712** associated with the relevant user. The location **706** and the time zone **708** for each user may be continually monitored by the network manager **116** as described above (e.g., using a request for a return signal transmitted to a data processing device). Alternatively, or in addition, the network manager may retrieve device locations only in response to queries from individual users. For example, a user may configure his/her data processing device to periodically request positional data for each user in his/her address book or buddy list.

Amend paragraph **[0041]** as follows:

[0041] Referring to **Figure 8**, one embodiment ~~of the invention~~ is shown in the form of a flow chart. At box **802**, one or more characteristics for each user in a plurality of users is selected. At block **804** the data processing device compiles a group of users having the selected characteristics. At block **806**, the data processing device transmits an inquiry to the compiled group of users via network manager **116**. At block **808**, responses from users in the group are received by the network manager **116** and passed on to the user who generated the inquiry. At decision block **810**, the date processing device determines whether the inquiry is a request for a return signal. If so, then at decision block **812**, the data processing device determines whether the response reveals status information (e.g., device location) of a user's data processing device. If so, then at block **814**, the data

processing device may indicate the status information in an electronic address book or other application containing a list of users. At block **816**, the data processing device compiles responses to the inquiry.

Amend paragraph **[0042]** as follows:

[0042] The underlying principles of the ~~invention~~ techniques to identify and survey subscribers described herein may be employed to support various different applications. For example, surveys may be conducted to gather information from a targeted group of users. Thus, using the techniques described above, a politician may be able to determine very quickly how his male constituents living in a particular district feel about an issue. Various other applications such as voting and testing of users are also contemplated to be within the scope of the present invention.

Amend paragraph **[0043]** as follows:

[0043] Embodiments of the ~~invention~~ techniques to identify and survey subscribers may include various steps as set forth above. The steps may be embodied in machine-executable instructions. The instructions can be used to cause a general purpose or a special purpose processor to perform certain steps. Alternately, these steps may be performed by specific hardware components that contain hard-wired logic for performing the steps or by any combination of programmed computer components in custom hardware components.

Amend paragraph **[0044]** as follows:

[0044] Elements of the ~~present invention~~ techniques to identify and survey subscribers may also be provided as a machine-readable medium for storing the machine-executable instructions. The machine-readable medium may include but is not limited to floppy diskettes, optical disks, CD ROMS, and magneto-optical disks, ROMS, RAMS, EPROMS, EEPROMS, magnetic or optical cards, propagation media, or other type of media machine-readable medium suitable for storing electronic instructions. For example, the present invention may be downloaded as a computer program which may be transferred from a remote computer (e.g., a server) to a requesting computer (e.g., a client) by way of data signals embodied in a carrier wave or other propagation media via a communication link (e.g., a modem or network connection).

Amend paragraph **[0045]** as follows:

[0045] Throughout the foregoing description for the purposes of explanation, numerous specific details were set forth in order to provide a thorough understanding of the ~~invention~~ techniques to identify and survey subscribers. It will be apparent, however, to one skilled in the art, that the invention may be practiced without some of these specific details. ~~Accordingly, the scope and spirit of the invention should be judged in the terms of the claims that follow.~~